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Client Reference No.: MK09807(A)/A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Allowed: December 15, 2003

NISHIOKA et al.

Confirmation No: 6330

Application No.: 09/092,652

Group No.: 2871

Filed: June 9, 1998

Examiner: MINH TOAN TON

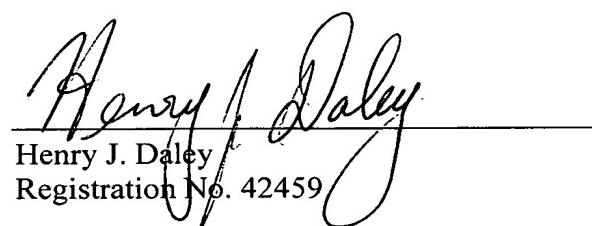
For: OPTICAL ELEMENTS (SUCH AS VARI FOCAL LENS COMPONENT, VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING OPTICAL ELEMENTS

Commissioner for Patents
Mail Stop: Issue Fee
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Alexandria, VA 22313-1450

SUBMISSION OF SUPPLEMENTAL DECLARATION

Attached please find the Supplemental Declaration for the above-identified application.

Date: February 24, 2004



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FEB 24 2004

**FOR UTILITY
DECLARATION**

**SUPPLEMENTAL DECLARATION
UNDER RULE 67 (37 C.F.R. 1.67)**

I, the undersigned inventor, declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED OPTICAL ELEMENTS(SUCH AS VARI-FOCAL LENS COMPONENT, VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING OPTICAL ELEMENTS**, the specification of which was filed on June 9, 1998 as U.S. Application No. 09/092,652.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as allowed on December 15, 2003. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

| <u>Number</u> | <u>Country</u> | <u>Filed</u> | <u>Date first Laid-open or Published</u> | <u>Date Patented or Granted</u> | <u>Priority Claimed</u> |
|---------------|----------------|----------------|------------------------------------------|---------------------------------|-------------------------|
| 77042/98 | JAPAN | March 25, 1998 | | | Yes |
| 151881/97 | JAPAN | June 10, 1997 | | | Yes |
| 53029/98 | JAPAN | March 5, 1998 | | | Yes |

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

| <u>Application Number</u> | <u>Filed</u> | <u>Status</u> | <u>Priority Claimed</u> |
|---------------------------|--------------|---------------|-------------------------|
| | | | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Date: Jan. 28, 2004

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